

MINNESOTA BOARD OF BARBER EXAMINERS  
MONDAY November 25, 2013  
Minutes

Attending:

Board Members: Jon Stone, Chair, James Robinson, Secretary, Kenneth Kirkpatrick, and Clarence Jones.

Attorney General Office: Mike Tostengard, Attorney

Board Staff: Thora Fisko, Executive Secretary and Trevor White, Inspector

Members of the public

1) Call to Order

8:31 Chair Stone called the meeting to order.

2) Approve Agenda

Motion to approve agenda with item 5A being struck by member Robinson, second by member Jones, motion carried unanimously.

3) Approve Minutes

A. September 30, 2013:

Motion to approve the minutes as presented by member Robinson, second by member Kirkpatrick, motion carried unanimously.

B. November 4, 2013:

Motion to approve the minutes as presented by member Jones, second by member Robinson, motion carried unanimously

**Unfinished Business**

4) Examination Procedures

A. Review of Apprentice Examination requirement, letter to examinees, notice to examinees, and instructions given on exam day.

Executive Director Fisko indicated that the draft documents provided incorporated the discussions and ideas from the working session held by the Board in September.

Discussion included:

- Several additional changes to make the documents more descriptive and clear.
- Requiring applicants to notify the office \_\_\_\_\_ days prior to the exam, if not attending and requesting to move fees to the next exam, and not accept phone messages the day of the exam to move fees. Verified emergencies will continue to be acceptable for applicant fees to be applied to future exam without time restrictions.
- Make it clear about finding a new model: time spent to find a new model is unlimited but is part of the two hour exam period.

Motion to table item, executive secretary to prepare a new draft incorporating changes from the discussion and any additions by members prior to the next meeting, by member Robinson, second by member Kirkpatrick, motion carried unanimously.

- B. Review of Registered (Master) Examination requirements, letter to examinees, notice to examinees, and instructions given on exam day.

Discussion included:

- To use the same language as on the apprentice forms when the requirements are the same.
- Changing the number of oral questions to 12 so that there is a clear 75% pass or fail mark.
- There was discussion regarding the haircut and keeping the taper haircut or allowing stylized haircuts for the registered (master) exam.
  - Member Kirkpatrick expressed opinion that a 'master' applicant should be allowed to show some creativity with a style cut if desired to show more clipper or shear work. This was allowed in the past there was a shampoo first, the cut, and then blow dry style.
    - Member Robinson indicated that he is in support to allow more creativity.
    - Executive secretary to find examples to and provide.
- Change language of mannequin must not be facing the barber.

Motion to table item, executive secretary to prepare a new draft incorporating changes from the discussion and any additions by members prior to the next meeting, made by member Kirkpatrick, second by member Jones, motion carried unanimously.

### **New Business**

5) November 4, 2013 Examinations

A. Item struck from agenda

B. Soeun Chheng, Master Exam failed haircut

Registered (master) barber Steve Peppin spoke for Mr. Chheng with Mr. Chheng's permission. Seeking consideration of the style hair cut he completed during the exam, resulting in a failure, despite the instructions to give a conventional haircut.

Motion to deny the request the current requirement in writing to stand made by member Robinson, second by member Jones: Discussion included comment by member Kirkpatrick that it was good haircut, that he did an excellent job. Motion carried three ayes (Jones, Robinson, and Stone), one nay (Kirkpatrick).

C. Jamie Shavers, Master Exam failed haircut

Mr. Shavers was not in attendance – No action taken

\*\*5a) Request for Hardship consideration to extend the four year reinstatement without exam to five years and waiver of part of fees involved.

Mr. Theisen addressed the board regarding his request to have his registration reinstated without re-examination. The board determined to proceed with the request as a rule variance.

Motion to allow reinstatement with payment of all required late fees, second by member Jones, motion carried unanimously.

- 6) Resolution 2013-1: Authorizing the Board's Complaint Committee to conduct hearings on behalf of the Board in response to requests for hearing related to penalties issued under MN Statute 154.162 and to negotiate settlement agreements as a result of the hearings.

Mike Tostengard, Attorney described the intent of the resolution to allow the Committee to act on behalf of the Board in matters relating to the new administrative penalties in the statute.

Motion to approve by member Jones, second by member Kirkpatrick, motion carried unanimously.

7) Correspondence

- A. Copy of letter sent to Peggy Schmidt-Minnesota School of Barbering thanking her for her assistance and use of the school for exams, as discussed at the September 20, meeting
- B. Email from Mick Coleman Academic Dean at Minneapolis Community and Technical College indicating that the Barber School will host the February exams.
- C. Annual Barber Ball announcement
- D. GLSolutions Client Conference Announcement

Items provided for board information, no actions taken.

8) Inspector Report

Inspector White reports that inspections are going well.

9) Executive Secretary Report

A. On line renewals

The link was added to the Board website and went live on Monday November 18 for on line renewal.

B. Office Space

The Office has moved to Suite 425 on the fourth floor of the building.

C. Good Cause Rule Making

Received notice from the Office of Administrative Hearings approving the changed rules and proposed order for rule making.

Motion to adopt the order by member Robinson, second by member Jones, motion carried unanimously. Order signed by board chair.

D. Financial Report

Summary of the end of fiscal biennium 2012 & 2013

Cancelled back to the General Fund: \$43,939.00

Revenue exceeding allocations to General Fund: \$49,000.00

Total to General Fund for the biennium \$93,316.00

Licensing Surcharge collected and directed to MN-IT during the biennium \$54,000.00

E. Other

Report of obsolete, unnecessary or duplicative rules due by December 1, 2013 provided for review. There were none identified due to the rule changes noted earlier.

- 10) Chair Stone noted that the election of officers is not on the agenda. Elections were added to the agenda as item #10 and acted upon as follows:

Chair Stone called for nominations for the position of Chair:

Nomination of Jon Stone as board chair by member Kirkpatrick, motion withdrawn upon request of member Robinson.

Motion to keep all current board officers, and do away with individual election of officers, by member Robinson, second by member Jones, motion carried unanimously.

Chair: Jon Stone

Secretary: James Robinson

Member Robinson moved that the same apply to the committee appointments, second by member Jones. Discussion, member Kirkpatrick asked if the complaint committee stays the same all year, they do, motion carried unanimously.

Complaint Committee members: Jon Stone and James Robinson.

11) Call for Public Comments

None

12) Meeting Schedule

January 27, 2014

March 24, 2014

14) Adjournment

Motion to adjourn by member Robinson, second by member Kirkpatrick, motion carried unanimously. Meeting adjourned at 9:34 am.